



NATIONAL  
PRIVACY  
COMMISSION



**JOINT ADMINISTRATIVE ORDER NO. 24-03**  
**Series of 2024**

**Subject : IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 11967 OR THE INTERNET TRANSACTIONS ACT OF 2023**

Pursuant to Section 31 of the Republic Act No. 11967, or the Internet Transactions Act of 2023, the following Implementing Rules and Regulations (IRR) are hereby promulgated and adopted:

**PART I**

**DECLARATION OF POLICY AND COVERAGE**

**Section 1. Declaration of Policy.** – It is the policy of the State to promote and maintain a robust electronic commerce (e-commerce) environment in the country by building trust between digital platforms, online merchants, and online consumers. The State recognizes the value and potential of the digital economy to increase competition, boost economic growth, and improve productivity. Toward this end, the State shall guarantee the effective regulation of e-commerce to protect consumer rights and data privacy, encourage innovation, promote competition, secure internet transactions, uphold intellectual property rights, ensure product standards and safety compliance, and observe environmental sustainability.

**Section 2. Definition of Terms.** – As used in the Rules:

- a. **Availment of the Philippine Market.** – any action or conduct that leads to, or indicates the intention to transact with persons or businesses located in the Philippines including, but not limited to, advertising directed to the Philippine market, soliciting, allowing or receiving within the Philippines orders, payments and deliveries (i.e., soliciting orders, allowing or receiving payments, making deliveries), contracting with third parties to fulfill orders, providing technical or customer support to customers in the Philippines, or procuring telecommunications services, bandwidth, or infrastructure.
- b. **Business-to-Business (B2B) Transaction.** – internet transactions between businesses, such as between a manufacturer and a wholesaler, or a wholesaler and a retailer, whether the transacting parties are natural or juridical persons.
- c. **Business-to-Consumer (B2C) Transaction.** – internet transactions between businesses and end-users.
- d. **Consumer-to-Consumer (C2C) Transaction.** – transactions between end-users done for personal, family, or household purposes and not done in the ordinary course of business, regardless of the platform used.

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The following shall be presumed as B2C transactions:

1. When a person sells or offers to sell a product or service through an organized business entity (e.g., business name other than the seller's real name, with a barangay or Local Government Unit permit, issues a Bureau of Internal Revenue registered receipt, uses a logo, etc.);
2. When a person sells or offers to sell a product or service as a continuous business activity to generate income;
3. When a person engages in e-commerce by "doing business" as defined by Republic Act No. 7042, or the Foreign Investments Act of 1991, as amended; or
4. When a person engages in transactions not for personal, family, or household purposes.

The value, frequency and volume of sale or offer for sale of products, goods, and services may be considered in determining the existence of a C2C transaction.

- e. Digital Platforms. – information and communication technology-enabled mechanisms that connect and integrate producers and users in online environments where goods and services are requested, developed, offered, or sold, and data is generated and exchanged such as, but not limited to, e-commerce, food delivery, transport, travel, education, healthcare, and logistics.
- f. E-Commerce. – any commercial transaction conducted through electronic, optical, and similar medium, mode, instrumentality and technology. The transaction includes the sale or offer for sale, or purchase of physical or digital goods and services, or lease or offer for lease of the same, between individuals, households, businesses, and governments conducted over computer-mediated networks through the Internet, mobile phones, electronic data interchange (EDI), or other electronic channels through open or closed networks. These may be digitally ordered, digitally delivered or platform-enabled transactions.
- g. E-Commerce Bureau. – the E-Commerce Bureau provided in Part III of these Rules.
- h. E-Commerce Philippine Trustmark. – an electronic symbol, image, or badge issued to a holder ensuring that the e-commerce activity is trustworthy, safe, and secure.
- i. E-Marketplace. – digital platforms the business of which is to connect online consumers with online merchants, facilitate and conclude the sales, process the payment of the products, and goods or services through the platform, or facilitate the shipment of goods or provide logistics services and post-purchase support within such platforms, and otherwise retains oversight over the consummation of the transaction. These shall include social media or other platforms insofar as they retain oversight over the consummation of the transaction.
- j. E-Retailer. – a natural or juridical person selling or offering for sale goods or services directly to online consumers through its own website, webpage, or application although the e-retailer may have transactions that are not online.
- k. Goods. – digitally or non-digitally produced items over which ownership or proprietary rights may be established and transferred from one (1) institutional unit to another by entering into a transaction.